

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

MORRIS L. STURDIVANT, :

Plaintiff, :

vs. : CA 09-0126-WS-C

MICHAEL J. ASTRUE, :

Commissioner of Social Security, :

Defendant.

JUDGMENT

In accordance with the order entered on this date, it is hereby **ORDERED**, **ADJUDGED**, and **DECREEED** that the decision of the Commissioner of Social Security denying claimant benefits be reversed and remanded pursuant to sentence four of § 405(g), *see Melkonyan v. Sullivan*, 501 U.S. 89, 111 S.Ct. 2157, 115 L.Ed.2d 78 (1991), for further proceedings not inconsistent with this decision. The remand pursuant to sentence four of § 405(g) makes the plaintiff a prevailing party for purposes of the Equal Access to Justice Act, 28 U.S.C. § 2412, *Shalala v. Schaefer*, 509 U.S. 292, 113 S.Ct. 2625, 125 L.Ed.2d 239 (1993), and terminates this Court's jurisdiction over this matter.

DONE this 8th day of December, 2009.

s/WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE